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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,517	04/03/2003	Alexander Kolbeck	KOLB3001	7553

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EXAMINER

KIM, AHSHIK

ART UNIT PAPER NUMBER

2876

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/926,517	Applicant(s) KOLBECK, ALEXANDER	
	Examiner Ahshik Kim	Art Unit 2876	<i>AK</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/14/01 (Preliminary Amendment).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers
5 have been placed of record in the file.

Information Disclosure Statement

2. Some entries in the information disclosure statement filed on July 12, 2002 fail to comply
with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it
10 is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable
about the content of the information, of each patent listed that is not in the English language. It
has been placed in the application file, but the crossed items on PTO-1449 have not been
considered.

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Preliminary Amendment

3. Receipt is acknowledged of the preliminary amendment filed on November 14, 2001. In
the amendment claims 1-19 were amended. Currently, claims 1-19 remain for examination.

Specification

- 20 4. Applicant(s) are reminded to include the following in the next communication with
respect to the header(s) within the specification as following:

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- a) **-- Background of the Invention --**: The specification should set forth

Background of the Invention in two parts: **--Field of the Invention --** and **-- Description of the Related Art --**.

- b) **-- Brief Summary of the Invention --**.

- 5 c) **-- Brief Description of the Several Views of the Drawing(s) --**.

- d) **-- Detailed Description of the Invention --**.

Appropriate correction is required.

5. Abstract is objected and should be re-written according to the following guidelines.

- 10 Applicant is reminded of the proper language and format for an abstract of the disclosure.

15 The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

20 The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Also see MPEP § 608.01(n). Appropriate correction is required.

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Claim Objections

6. Claim 3 is objected to because of the following informalities:

Re claim 3, line 1: delete "either of " after "The method according to". Appropriate correction is required.

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Claim Rejections - 35 USC § 103

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

5 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US

10 4,801,787, "Suzuki" hereinafter).

Re claims 1, 8, 11-14, 16, and 18, Suzuki teaches a method for storing and retrieving PIN codes for protected access devices (see abstract; col. 1, lines 7+; col. 1, lines 24+; col. 1, lines 56); wherein the users enter PIN codes, and other access code such as user's birthday or telephone number as additional identification information (col. 2, lines 26+). When the user
15 were to forget the PIN, the user may enter series of identification information, and when they match with stored information (col. 4, lines 3+), PIN may be displayed to the user for a brief period of time (col. 5, lines 26-38). When they don't match, error message is displayed (col. 4, lines 43+).

Suzuki may not explicitly suggest storing and retrieving "one unique feature of at least
20 one protected-access device."

However, Suzuki lists various personal data and other information, which can be stored and retrieved for verification purpose (col. 2, lines 25-33), which includes an account number for the card. As the phone number and birthday were used as an example, it would be obvious to an ordinary skill in the art to use an account number – a unique feature for the IC card as an
25 authenticating means. In fact, any information saved in the memory area 26-26d can be used as a key to retrieve PIN number.

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Re claim 2, personal data including PIN are permanent until user changes/updates information as needed (col. 1, line 67 - col. 2, line 3).

Re claims 3-5, according to Merriam-Webster's Collegiate Dictionary (10th edition), encode is defined as "1:to convert (as information) from one system of communication to another". When a user enters a PIN, for example, "1234" via keyboard 12 and display 13, the entered PIN code would be converted to ASCII, EBCDIC, or other machine-dependent coding format and then stored in the memory 26a-26e. When it is recalled for verification or display, it would be converted to be displayed to the user. Although not explicitly detailed, entered PIN would be stored in RAM or data register temporarily before they are written to the memory area.

Re claim 6, PIN and other identification numbers are linked in a way that one can be used as a key for the other.

Re claims 7 and 17, the personal information is stored in the memory area 26a-26d within the IC card (col. 2, lines 26+).

Re claim 8, account number can be considered a particular serial number for the IC card.

Re claims 9, 10, and 19, in the embodiment of credit card, the card number embossed on the card face (and also encoded in magnetic strip on the back) is a unique feature for the card. When card is accessed via a card reader, card account information is automatically read (col. 1, lines 8+).

Re claim 15, IC card 11 functions as a card and a reader (see figure 1) reading input values entered by a user.

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Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Campisano (US 6,227,447); Houvener et al. (US 6,070,141); Kohut (US 5,742,035); Hackett et al. (US 6,182,894) disclose transaction cards and PIN or other codes associated with the card. Applicant is respectfully suggested to carefully review these references.

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax number directly to the Examiner is (571)273-2393. The fax phone number for this Group is (703)872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Ahshik Kim
Patent Examiner
Art Unit 2876
February 26, 2004